IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATISGARH

WRIT PETITION NO. 1725 OF 2003

PETITIONER

G.S.Gangwal, S/o Late S. R. Gangwal, aged about 57 years, working as Sub Inspector, Police Station Basna, Dist. Mahasamund (Chhattisgarh)

VERSUS

RESPONDENTS

1. State of Chhattisgarh through Principal Secretary, Home Department, D K S Bhawan, Raipur [Chhattisgarh]
2. Superintendent of Police, Mahasamund, [C.G]
3. Police Station Incharge Basna, Dist.Mahasamund [Chhattisgarh]

P. R. No. 1618/03
Presented by Shri M.V. Paranjpe
dated 13.06.03

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(32)

(23)

आदेश पत्रक

W.P.No. 1775/03

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	23.6.2003 Petitioner by Shri Abhishek Sinha, Advocate. State by Shri Ayaj Naved, Govt. Advocate. By this petition under Article 226 of the Constitution of India the petitioner seeks to challenge his transfer order dt. 8th June, 2003 (Annexure P/4) passed by the respondent No.2 transferring him from Police Station- Basna to Police Lines Mahasamund. I have heard learned counsel for the petitioner. The main argument of the learned counsel for the petitioner is that the petitioner had initially joined at Police Station Basna on 5th April, 2001 and within a period of three months he was transferred to Durg against which he had filed W.P.No. 1287 of 2001 and obtained an order staying his transfer on 2nd August, 2001 and thereafter till the present transfer order he was continuing at the Police Station Basna. However, now vide order Annexure P/4 dt. 8th June, 2003 he has been transferred to Police Lines Mahasamund. The main grievance of the petitioner is that since he had not succumbed to the pressure of one Alkash Khairani who asked him to throw out some motor vehicle challan and since he could not accede to his request therefore he is being transferred frequently.	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(37) (23)

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	The petitioner is a Sub Inspector in police department he was working at the Police Station Basna since 5th April, 2001 and till the impugned transfer order was issued and thereby he has served at that place more than two years and two months which is a sufficient time for any public servant to serve at one place. More over transfer is a part of service, one cannot challenge the same unless and until the transfer order has been passed just to victimize the employee or it has been passed on extraneous consideration or malafidely. Since the petitioner has already served at one place for more than two years and two months and the petitioner has been transferred in the district at the district headquarter from the present place of posting which is a better place than his present place of posting in all respect, therefore by any stretch of imagination it cannot be held that the transfer has been made out of the political pressure or revenge. I do not find any substance in this petition and the same is dismissed. The Registry is directed to place the earlier Writ Petition No. 1287/2001 for final disposal at the earliest. In view of the above order, M.(W.)P. No. 1612/2003 and I.A.No. 5337/2003 stand disposed of. **Sd/-** **L.C. Bhadoo** **Judge**	

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